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1989

# Obscenity: Andres Serrano Controversy (1989): Correspondence 14

Claiborne Pell

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### Recommended Citation

Pell, Claiborne, "Obscenity: Andres Serrano Controversy (1989): Correspondence 14" (1989). *Obscenity: Andres Serrano Controversy (1989)*. Paper 34.

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## United States Senate

COMMITTEE ON LABOR AND  
HUMAN RESOURCES

WASHINGTON, DC 20510-6300

July 13, 1989

Mr. Hugh Southern  
Acting Chairman  
National Endowment for the Arts  
1100 Pennsylvania Avenue, N.W.  
Washington, D.C. 20506

Dear Mr. Southern:

As you know from our recent personal meeting, I am deeply troubled by the fact that the Endowment has funded a program which in turn endorsed and promoted the work of artist Andres Serrano, some of which grossly offends me and a large number of American citizens. As an agency of the federal government, the Endowment has the responsibility to spend the taxpayers' money with good judgement and careful deliberation.

As you know, I have long been keenly interested in ensuring the integrity of the Endowment's peer panel review process. This system has served the Endowment and the arts in this country well for almost 25 years. It is the heart and soul of what has allowed the Endowment to succeed so well.

However, I suspect that there are identifiable flaws in current review procedures which have made it possible for federal funds to support the exhibition of works such as Mr. Serrano's PISS CHRIST. In this regard I support Congressman Yates' call for far greater Endowment oversight of all federal monies that are regranted. The mechanism for doing so should be carefully constructed and rigorously applied.

In order to correct these flaws and restore confidence in Endowment procedures, I ask that you set aside a large segment of time at the upcoming August meeting of the National Council on the Arts during which this important matter can be discussed at length. You may want to include past as well as present Council members in this meeting so as to benefit from the broadest range of opinion and expertise.

The Council, as your presidentially-appointed advisory committee, is charged in the Endowment's statute with advising you in respect to policies, programs and procedures and, most importantly, with reviewing applications for financial assistance and making recommendations thereon. Their role is a central one

and their expert advice in this matter should be weighed with great care.

My fear is that the Council has either not had sufficient data to assist them in making the most informed decisions or has not had adequate time to review proposals that are recommended for funding by the peer review panels. Each step in this process must be scrutinized carefully with thought given to possible additional guidelines used by the panelists that would reaffirm excellence as the fundamental criterion used in reviewing applications for federal financial support. Not only must the panelists adhere to the highest standards of excellence but they must be individuals of unquestioned experience and distinction in their respective fields.

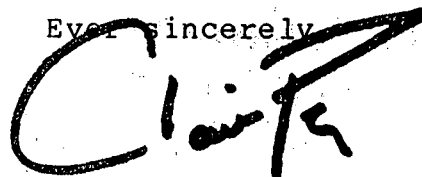
Serious thought must also be given to opening all parts of the quarterly Council meetings (save discussion of personnel matters) to the public in an effort to increase accountability. The benefits gained from open sessions just may outweigh the awkwardness of discussing applications on the public record and, in my view, the integrity of the peer review process would not be compromised by doing so.

I would expect the Council to prepare a report as a result of this special session that addresses these points and clarifies grant review procedures for those of us in the Congress. I will review this document carefully and share it with my colleagues. I am also prepared to take legislative action in the course of the upcoming reauthorization should I deem it necessary following receipt of the Council's report.

I am very hopeful that through this process the National Endowment for the Arts can emerge renewed and strengthened.

With warm regards,

Ever sincerely

A large, stylized handwritten signature in black ink, appearing to read 'Claiborne Pell'.

Claiborne Pell  
Chairman  
Subcommittee on Education,  
Arts & Humanities